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C O N F I D E N T I A L LJUBLJANA 000794

SIPDIS

DEPT FOR EUR/NCE AND EUR/OHI

E.O. 12958: DECL: 11/18/2015

TAGS: [PGOV](#) [KNAR](#) [SI](#)

SUBJECT: SLOVENIA: RESTITUTION PROCESS FOR JEWISH

PROPERTIES CONFISCATED AFTER WWII GETS OFF TO ROCKY START

Classified By: Ambassador Thomas B. Robertson for Reasons 1.4 (B) and (D)

11. (SBU) SUMMARY. Following a September 22 meeting between Slovenia's Commission for Resolving Open Questions Pertaining to Religious Communities and the President of the Jewish Community of Slovenia (JCS), Andrej Kozar Beck, the Ministry of Justice (MOJ) announced that it will conduct a comprehensive historical inventory of Jewish communal and heirless properties that were confiscated or nationalized by the Government of Yugoslavia after the Second World War. In October, the MOJ formally created a new Department for Restitution and National Reconciliation to undertake this historical inventory and appointed five members to serve on it. The World Jewish Restitution Organization (WJRO) agreed to establish a Foundation to oversee the disbursement of funds from any future settlement between the JCS and the Government of Slovenia (GOS). END SUMMARY.

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Rocky Start to Restitution Negotiations  
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12. (C) Restitution negotiations initially got off to a rocky start during a September 22 meeting between JCS President Andrej Kozar Beck and the members of the Commission for Resolving Open Questions pertaining to Religious Communities. At the meeting, Justice Minister Lovro Sturm informed Beck that the JCS's 15 million Euro claim for restitution of communal and heirless Jewish property seized by the Yugoslav government after WWII would take considerably longer to resolve than Beck had anticipated. (NOTE: In an earlier exchange with PolMiloff, Beck indicated he thought a final settlement would be reached at that September 22 meeting. END NOTE). Sturm is also alleged to have asked Beck during the meeting whether he was entitled to speak as the representative of the entire Jewish community living in Slovenia. Beck, confounded by the question, is alleged to have stormed out of the meeting in a fit of anger.

13. (SBU) On September 25, Beck forwarded an angry letter to the Embassy, the American Jewish Committee, the World Jewish Congress, the European Council of Jewish Communities, the World Jewish Restitution Organization, the Eurasian Jewish Congress, Prime Minister Jansa, Foreign Minister Rupel, Justice Minister Sturm, Defense Minister Erjavec, Slovenian Ambassador to the U.S. Samuel Zbogar, and the UK Ambassador to Slovenia. In the letter, Beck claimed Sturm had questioned whether he was a Jew and had "practically refused to discuss our claim." On September 28, Sturm responded to Beck's allegations by faxing a letter to the Ambassador and the aforementioned addressees expressing "shock" at Beck's statements and denying he had questioned Beck's Jewish identity, claiming that he had merely tried to ascertain whether Beck was entitled to negotiate on behalf of all Slovenian Jews. (NOTE: In a subsequent meeting with PolMiloff and Conoff, Sturm's Chief of Staff, Janko Koren, cited a recent doctrinal dispute between two individuals contending for the leadership of Slovenia's Islamic Community as the reason for Sturm's question. He also noted that there were an estimated 500 Jews living in Slovenia, but only 120 of them were officially members of the JCS. END NOTE.) In the following weeks, a series of articles appeared in the Slovenian press based on interviews with Beck in which he spoke about the JCS's 15 million Euro claim against the GOS and cited a lack of progress in resolving the restitution issue.

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MOJ Promises to Put Restitution Negotiations Back on Track  
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14. (C) On October 3, PolMiloff and Conoff met with MOJ Chief of Staff Janko Koren and Director of the Office for Religious Communities Dr. Drago Cepar to discuss the JCS restitution claim. Koren and Cepar claimed there was no existing legal basis for the government to negotiate restitution with the JCS and noted that any settlement would have to be approved by parliament. Koren also commented that Beck's desire to resolve the restitution issue in a (secret closed-door) settlement was unrealistic. (NOTE: During an earlier

exchange with PolMiloff, Beck did indeed say that he was open to a secret settlement. END NOTE.) Cepar added he could not understand why Beck's hopes had been dashed, since the GOS had consistently insisted on a legal solution.

15. (C) Cepar and Koren claimed Sturm believed strongly in the issue of restitution, and that the process would move forward despite their difficulties in communicating with Beck, whom Cepar characterized as a "difficult" personality. Koren noted that the MOJ was in the process of creating a Department for Restitution and National Reconciliation to compile a comprehensive list of individual Jewish restitution

claims (i.e. individual properties). This documentary evidence will then serve as the basis upon which a special Jewish Restitution Working Group will negotiate a settlement with the JCS. Koren noted that once this settlement is reached, it will then have to be put to a vote in parliament.

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Critics of Kozar Beck Point to Flawed Methodology  
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16. (C) Embassy contact Dr. Hannah Starman (protect), a Holocaust researcher at the Institute for Ethnic Studies in Ljubljana, told PolMiloff on several occasions that Beck was hurting the Jewish community by making exaggerated and unfounded restitution claims. (NOTE: Starman is not an official member of the JCS but identifies herself as a Jewish Slovenian. END NOTE.) Starman reported that Beck had at one point raised the restitution claim from 15 million to 65 million Euros, apparently as a bargaining tactic. Starman opined that both Sturm and Minister of Finance Andrej Bajuk were well disposed to settling the restitution claims fairly and equitably, but were suspicious of Beck's fourfold multiplication of the sum within a span of only a few months.

Furthermore, Starman claimed that Beck's inventory of properties was based on a faulty methodology that included properties sold by Jews before the Second World War and hence before they were ever nationalized. Starman also claimed Beck's inventory included properties that Beck claimed to be heirless but that did in fact have living heirs, either in Slovenia or abroad. Starman lamented that Beck was not doing Slovenia's Jewish community any favors by bargaining with the GOS in secret and by neglecting to take into consideration the claims of Holocaust survivors and living heirs of Holocaust victims.

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WJRO Representative Visits Slovenia  
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17. (SBU) B'nai B'rith Executive Vice President and World Jewish Restitution Organization (WJRO) member Daniel Mariaschin met with the Ambassador on November 4 to discuss recent events in the restitution negotiations. Mariaschin told the Ambassador he had met separately with Beck and Justice Minister Sturm, and that he had meetings scheduled later in the day with the Ministry of Foreign Affairs and with Ethnic Studies researchers Hannah Starman and Irena Sumi. Mariaschin told COM he felt it was unacceptable for Sturm to question Beck's title as president of the JCS since Beck had been elected by a majority of its members. Mariaschin also noted, however, that he believed Sturm had demonstrated a will to reach a settlement and that the WJRO would help curb any concerns about future trusteeship of settlement funds by creating a Foundation to allocate and distribute such funds in the event that a settlement is reached. The Foundation would include members of the JCS as well as outside members and would ensure that funds were first distributed to any remaining Holocaust survivors before being used for local community projects. Mariaschin also told COM that the WJRO had extensive experience locating Holocaust survivors in other countries and that it would help Slovenia to do so as well. Mariaschin was optimistic that Sturm's decision to call a press conference following their November 4 meeting signaled a serious intent to resolve the restitution issue. Mariaschin told COM his chief concern now was that the GOS's procedure of identifying and reconciling its list of communal and heirless Jewish properties with the list already compiled by the JCS be put on a "fast track."

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Comment  
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18. (C) The MOJ's creation of a Department for Restitution and National Reconciliation is a positive step towards resolving an issue that has languished for over five years under the previous center-left government. While Beck's mercurial personality and his sometimes demeaning comments about ethnic Slovenes do not endear him to GOS interlocutors, there can be no doubt that he is the legitimate president of the Jewish Community. The WJRO's proposal to create a Foundation to oversee the disbursement of settlement funds would go a long

way to bringing all sides closer to a resolution of the issue, since critics of Beck's like Starman or Sumi have told us that their primary concern is to aid remaining Holocaust survivors and living heirs of Holocaust victims. Post will continue to monitor the Jewish restitution negotiations as they move forward and advocate for a timely and fair settlement. END COMMENT.  
ROBERTSON

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